

# Notice of Allowability

Application No.

09/913,360

Examiner

Benny Q. Tieu

Applicant(s)

NISHI ET AL.

Art Unit

2642

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11/18/05 and Examiner's Amendment.
2. ☒ The allowed claim(s) is/are 3,4,7,10,11 and 14 (renumbered as 1-6, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*Benny Q. Tieu*

**BENNY TIEU  
PRIMARY EXAMINER**

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Attorney Suzanne B. Gagnon on the date of January 12, 2006.

3. The application has been amended as follows:

The Title has been changed to --RECEIVER FOR RECEIVING ATTRIBUTE  
INFORMATION OF THE PROGRAM--

In **claim 3**, line 8, "and" has been deleted;

line 12, follows have been added:

--an accumulation control function receiving section for receiving a function program for executing a function of accumulating part or whole of said program and in that said accumulation control section operates based on said function program received by said accumulation control function receiving section, and

wherein the means of said accumulation control function receiving section for receiving said function program is means for receiving a broadcast, the receiver further having a determining section for determining whether said accumulation control function receiving

Art Unit: 2642

section has failed to receive said function program from said broadcast or not and an accumulation control function acquiring section for acquiring said function program through a network when said determining section determines that the reception has failed--.

**Claims 5 and 6** have been canceled.

In **claim 7**, line 2, "Claim 5 or Claim 6" have been changed to --Claim 3--.

In **claim 10**, line 8, "and" has been deleted;

line 12, follows have been added:

--a step of receiving a function program for executing a function of accumulating part or whole of said program and a step of executing the function of accumulating part or whole of said program based on said received function program, and

wherein the step of receiving said function program further includes a step of receiving a broadcast, said method further including a step of determining whether the reception of said function program from said broadcast has failed or not and a step of acquiring said function program through a network when it is determined that the reception of said function program has failed--.

**Claims 12 and 13** have been cancelled.

In **claim 14**, line 2, "Claim 12 or Claim 13" have been changed to --Claim 10--.

  
**BENNY TIEU**  
**PRIMARY EXAMINER**

(End of Amendment)